

OCT 17 2007

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October 15, 2007

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Via Mail & Facsimile / (212) 805-7901

The Honorable Harold Baer
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2230
New York, New York 10007

Re: Barry F. Willman v. Lazard Freres & Co. and Lazard Capital Markets LLC
Docket No.: 07 CV 3382

Dear Judge Baer:

We write on behalf of both parties to jointly request this Court extend the date by which discovery must be completed from October 15, 2007 until December 14, 2007. The parties require this extension because they have been engaged in extensive and productive settlement discussions that both parties believe may result in the resolution of this matter.

The Court set October 15, 2007 as the discovery cut off date in its June 28, 2007 Pretrial Scheduling Order. Since that time, the parties have completed a substantial amount of discovery: Plaintiff served document requests on July 20, 2007, and interrogatories on August 23, 2007; Defendants served document requests and interrogatories on July 27, 2007; Plaintiff has noticed nine depositions; and Defendants have noticed the deposition of Plaintiff. The parties have

begun preparing their responses to these document requests and interrogatories. This is the parties' first request for an extension of time.

After the parties completed the discovery listed above, the parties agreed to a stay of discovery to avoid the expenditure of resources and fees while they engaged in settlement discussions. While those discussions have not yet resulted in a resolution, the parties believe that a resolution is near. The parties believe that if the Court grants this two month extension to complete discovery the parties will have sufficient time to fully explore the resolution of this case and, if such a resolution does not occur, complete discovery.

Respectfully submitted,

David Marek

David Marek (DM 2083)

cc: Marc A. Mandelman, Esq. (attorney for Defendants)

① An extension is sought to Dec 14.
② Granted such extension will be no less than
effect the balance of the PSC month
to file responses to TPC motions & your
Fees will be no worry about the approval of
any motions or documents with the court
B. While these documents will be reviewed
within 10 days of receipt.
C. A hearing date will be set at the earliest
date possible as my client so demands:
with respect to Harold Baer
Harold Baer, Jr., U.S.D.J.
Date: 10/23/07

Endorsement:

1. An extension as sought to December 14 is granted.
2. Such extension will in no way affect the balance of the PTSO, i.e., last day to take depositions (fully briefed) motions and your February trailing trial calendar month.
3. While I too worry about the expense of litigation please don't stay discovery again without the court's permission.
4. A failure to comply with motion dates risks my not reaching it before trial which will proceed as explained at PTC, in any event.